



INTERIOR BOARD OF INDIAN APPEALS

Northern Cheyenne Tribe v. Billings Area Director, Bureau of Indian Affairs

27 IBIA 270 (04/03/1995)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

NORTHERN CHEYENNE TRIBE,
Appellant

v.

BILLINGS AREA DIRECTOR,
BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Dismissing Appeal
:
:
:
: Docket No. IBIA 89-33-A
:
:
: April 3, 1995

Appellant Northern Cheyenne Tribe sought review of a June 21, 1988, decision of the Billings Area Director, Bureau of Indian Affairs, concerning the disposition of certain "escrowed 107th Meridian Boundary monies." The escrowed funds were produced on a strip of land that was claimed by both appellant and the Crow Tribe. This case has been stayed pending resolution of Crow Tribe v. United States, No. 409-86L, filed in the United States Claims Court (now United States Court of Federal Claims).

On January 6, 1995, the Board received a copy of a document entitled "Settlement Agreement Between the Crow Tribe of Indians and the United States to Resolve the 107th Meridian Boundary Dispute." This agreement was signed on November 28, 1994, by the Secretary of the Interior and the Chairwoman of the Crow Tribe. Because it appeared that implementation of the agreement would render this appeal moot, on January 9, 1995, the Board requested that appellant show cause why the appeal should be retained on the Board's docket. The order stated: "If appellant shows good reason, further procedures will be established. Failure to respond to this order or to show cause will result in the dismissal of the appeal." Appellant's response was due February 24, 1995. No response has been received.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal from the Billings Area Director's June 21, 1988, decision is dismissed.

//original signed

Kathryn A. Lynn
Chief Administrative Judge

//original signed

Anita Vogt
Administrative Judge